

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

v.

24-CR-54-LJV-HKS
DECISION & ORDER

ASAAD RIVERS,

Defendant.

1. On July 15, 2024, the defendant, Asaad Rivers, pleaded guilty to count 1 of the indictment charging a violation of Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C) (distribution of methamphetamine). Docket Item 19.

2. On July 15, 2024, the Honorable H. Kenneth Schroeder, United States Magistrate Judge, filed a Report & Recommendation recommending that the defendant's plea of guilty be accepted and that the defendant be adjudged guilty. Docket Item 20.

3. This Court has not received objections to the Report & Recommendation in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

4. This Court has carefully reviewed *de novo* Judge Schroeder's Report & Recommendation (Docket Item 20), the plea agreement (Docket Item 19), the indictment (Docket Item 6), a transcript of the plea proceeding (Docket Item 21), and the applicable law. This Court finds no legal or factual error in Judge Schroeder's Report & Recommendation and therefore adopts Judge Schroeder's recommendation that the

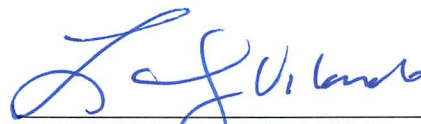
defendant's plea of guilty be accepted and that the defendant be adjudged guilty of counts 1 of the indictment.

IT IS HEREBY ORDERED that this Court adopts Judge Schroeder's July 15, 2024 Report & Recommendation, Docket Item 20, in its entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts the defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and the defendant, Asaad Rivers is now adjudged guilty under Title 21, United States Code, Section 841(a)(1) and 841(b)(1)(C).

SO ORDERED.

Dated: November 30, 2024
Buffalo, New York



LAWRENCE J. VILARDO
UNITED STATES DISTRICT JUDGE